Application Number	Application/Co	R	Applicant(s)/Patent ( Reexamination ANDERSON, ERIC	٠		
Document Code - DISQ		Internal Do	cument – DO NOT MAIL			
			· .			
TERMINAL DISCLAIMER	△ APPROVI	ED	☐ DISAPP	☐ DISAPPROVED		
Date Filed : December 20, 2005	to a Te	nt is subject erminal laimer	·			
Approved/Disapproved by:						
Henry D. Jefferson						

U.S. Patent and Trademark Office

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			20-Dec-05	AP	PL. S. N:		09213131	
To Exami	ner:		AGGARWAL, YOGESH	Art	t Unit		2615	
From			Jefferson, Henry PARALEGAL SPCECIALIST	D=	turn This Memo To: ( op-Off Location	Case	JEF-2D68	J
SUBJECT	<b>r:</b> Decisio	n on Termina	l Disclaimer(T.D.) filed:					
form para or have a	agraphs i	dentified by th ions, please s	d the submitted T.D. with his informal memo in your ee me or the Special Prog O APPLICANT OR (2) PLAC	next Office ram Examii	e action to notify app ner. THIS IS AN INFO	licant of t DRMAL, IN	he T.D. If you dis NTERNAL MEMO O	agree NLY.
please in	itial, date	and return th	nis memo to me. THANK Y	OU.				
<u> </u>	The T.D.	is PROPER an	d has been recorded (see	14.23).				
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		The TD fee o	·	ubmitted no	or is there any autho	rization ir	ı the application fi	ile for the
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person who signed the T.D.:						
		☐ is n	ot an attorney "of record"	(see 14.29	and 14.29.01).			
		has	failed to state his/her cap	acity to sig	n for the business er	ntity (see	14.28).	
		is n	ot recognized as an office	r of the ass	ignee (see 14.29 & p	ossible 1	4.29.02).	
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
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		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
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			o request refund (see 14.3 heck this item.	36). NOTE:	If already authorized	d, credit r	efund to deposit a	iccount
I have ap	propriate	ely notified ap	plicant(s) of the status of	the Termin	al Disclaimer filed in	this case.	•	
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<ul><li>2) Terminal Disclaimer (1 pag</li><li>3) Credit Card Payment Form</li></ul>					

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Examiner: Yogesh K. Aggarwal

Art Unit: 2615

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Eric C. Anderson

Serial No. 09/213,131 Filed: 12/15/1998

For: METHOD AND APPARATUS FOR CORRECTING ASPECT RATIO IN A

CAMERA GRAPHICAL USER INTERFACE

Mail Stop AF Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

### SUBMISSION OF TERMINAL DISCLAIMER

Applicant herein submits a Terminal Disclaimer. Also enclosed is a credit card payment form in the amount of \$130.00 for the Terminal Disclaimer. If any additional fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

DEC 0 2 2005

PTO/S\$/26 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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#### TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

1104-089

In re Application of: Eric C. Anderson

Application No. 09/213,131

Filed: 12/15/1998

For METHOD AND APPARATUS FOR CORRECTING ASPECT RATIO IN A CAMERA GRAPHICAL USER INTERFACE

The owner", FlashPoint Technology, Inc. of 100 percent interest in the instant application hereby disctairns, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5.973.734. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantes, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reasonment certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any natent issued thereon.

2. X The undersigned is an attorney of record

12/02/2005 Date

Signature

Benjamin S. Withrow, Reg. No. 40,878

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner): Form PTC/SB/96 may be used for making this certification. See MPEP § 324.

This collection of Information is required by 37 CFR 1.321. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this case. Any comments of time you require to complete this form and/or suggestions for reducing this case.

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